

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	DATE FILED:	
v.	:	CRIMINAL NO.	
JULIO TRUJILLO,	:	VIOLATIONS:	18 U.S.C. §1343 (wire fraud -
a/k/a "Julio Trampa,"			3 counts)
MARCOS TRUJILLO	:		18 U.S.C. § 2
			(aiding and abetting)

INFORMATION

COUNTS ONE THROUGH THREE

THE UNITED STATES ATTORNEY CHARGES THAT:

The Sentencing Guidelines

1. The Sentencing Reform Act provisions of the Comprehensive Crime Control Act of 1984 created an independent agency within the judicial branch of the government called the United States Sentencing Commission.
2. Congress directed the Sentencing Commission to, among other things, promulgate guidelines for all sentences imposed by federal courts beginning November 1, 1987.
3. The Sentencing Guidelines prescribe an imprisonment range for all crimes over which the federal courts have jurisdiction, and require sentencing judges to impose sentences within the applicable imprisonment range.
4. Sentencing courts may impose a sentence outside the applicable range only if an exception to this general rule applies.

5. One of the exceptions to this general rules permits federal district court judges to impose a sentence below the prescribed imprisonment range if the Department of Justice (as the prosecuting authority) determines that a defendant has provided substantial assistance in the investigation or prosecution of another person. The Department of Justice makes this determination known to the Court by motion.

6. This exception also applies after-the-fact. Under Federal Rule of Criminal Procedure 35 (Fed.R.Crim.P. 35), sentencing judges may reduce Guidelines sentences already imposed if defendants have provided substantial assistance in the investigation or prosecution of another person while serving their prison terms. Again, the Department of Justice decides whether a prisoner has provided substantial assistance, and makes its determination known to the Court by motion.

Defendant Julio Trujillo

7. On October 17, 2001, defendant JULIO TRUJILLO appeared in federal district court in the Eastern District of Pennsylvania for sentencing on drug distribution charges. Defendant TRUJILLO faced an imprisonment range of 57 to 71 months under the Sentencing Guidelines. The government moved for a downward departure from this guideline range because defendant TRUJILLO had substantially assisted the Philadelphia Police Department in the investigation and prosecution of drug trafficking crimes. The Court imposed a sentence of 35 months.

8. In or about November 2001, the Federal Bureau of Prisons designated defendant JULIO TRUJILLO to serve his sentence at Federal Correctional Institution Allenwood, a federal prison located in White Deer, Pennsylvania.

Defendant Marcos Trujillo

9. Defendant MARCOS TRUJILLO is the brother of defendant JULIO TRUJILLO. Defendant MARCOS TRUJILLO did not have a criminal history and lived in Philadelphia, Pennsylvania.

Victim Inmates Serving Sentences at FCI Allenwood

10. Inmate EJ reported to FCI Allenwood on December 5, 2001 to serve a 120 month drug sentence.

11. Inmate CO reported to FCI Allenwood on December 6, 2001 to serve a 63 month drug sentence.

12. Inmate FM reported to FCI Allenwood on January 13, 2002 to serve a 35 month drug sentence.

THE SCHEME

13. From in or about December 2001 to in or about July 2002, defendants

**JULIO TRUJILLO,
a/k/a "Julio Trampa,"
and
MARCOS TRUJILLO**

devised and intended to devise, and aided and abetted the devising of, a scheme to defraud inmates of FCI Allenwood and the families of these inmates and to obtain money and property by means of false and fraudulent pretenses, representations, and promises.

It was part of the scheme that:

14. Defendant JULIO TRUJILLO told inmates at FCI Allenwood that he could help them obtain a reduction in their sentences for a fee by (1) retaining an attorney on the inmate's

behalf, (2) paying friends outside the prison to collect information about drug trafficking in Philadelphia, and (3) paying a Philadelphia detective -- who defendant JULIO TRUJILLO falsely claimed was corrupt -- to attribute the drug information to the inmate. The inmates could then seek a reduction in their sentence under Fed.R.Crim.P. 35.

15. Defendant JULIO TRUJILLO also told inmates how the attorney would help. The attorney, defendant JULIO TRUJILLO claimed, would inform the Court about the benefits the government had received from the drug information which had been falsely attributed to the inmate. This information, in turn, would permit the sentencing judge to reduce the defendant's sentence under Fed.R.Crim.P. 35. The Court could do this, defendant JULIO TRUJILLO explained, if the government advised the sentencing judge that the defendant had provided substantial assistance in the investigation or prosecution of another person.

16. Defendant JULIO TRUJILLO told the inmates that he would provide these services at the following rates: \$2,500 for the attorney; and \$2,500 for each kilogram of drugs seized on the street as a result of information he obtained through his sources. Defendant JULIO TRUJILLO required payment for the attorney up front. Inmates could pay for the drugs as the drugs were seized by the detective.

17. Defendant JULIO TRUJILLO obtained three paying clients: inmate EJ, inmate CO, and inmate FM.

18. Defendant JULIO TRUJILLO directed inmates EJ, CO, and FM to have their families pay his brother, defendant MARCOS TRUJILLO.

19. Defendant MARCOS TRUJILLO called the families of inmates EJ, CO and FM, explained the scheme to them, and asked them to pay the fee.

20. Defendant MARCOS TRUJILLO went to the homes and businesses of the families to collect the fees.

21. Defendant MARCOS TRUJILLO accepted payment in cash or by wire transfer.

22. Defendant MARCOS TRUJILLO at times directed families to wire the funds either to him or to another family member of defendant JULIO TRUJILLO.

23. Defendants JULIO TRUJILLO and MARCOS TRUJILLO never hired an attorney to represent inmates EJ, CO, or FM.

24. Defendants JULIO TRUJILLO and MARCOS TRUJILLO collected approximately \$35,260 from the families between December 2001 and May 2002.

25. On or about each of the dates set forth below, in the Eastern District of Pennsylvania and elsewhere, defendants

JULIO TRUJILLO
a/k/a "Julio Trampa,"
MARCOS TRUJILLO

for the purpose of executing the scheme described above, caused to be transmitted, and aided and abetted the transmission, by means of wire communication in interstate and foreign commerce, the signals and sounds described below for each count, each transmission constituting a separate count:

COUNT	DATE	DESCRIPTION	AMOUNT
1	12/30/2001	Western Union wire transfer from a family member of inmate EG in Lawrence, MA, to RR, a family member of defendant JULIO TRUJILLO, in Philadelphia, PA	\$2,000

2	12/30/2001	Western Union wire transfer from a family member of inmate EG in Lawrence, MA, to defendant MARCOS TRUJILLO, in Philadelphia, PA	\$500
3	5/18/2002	Western Union wire transfer from a family member of inmate EG in Lawrence, MA, to defendant MARCOS TRUJILLO, in Philadelphia, PA	\$260

All in violation of Title 18, United States Code, Sections 1343 and 2.

PATRICK L. MEEHAN
United States Attorney